



Response to Request for Information

Reference FOI 003712
Date 25 June 2019

Settlement Agreements

Request:

I am writing to obtain information about your organisation's spending on settlement agreements in 2016-17, 2017-18 and 2018-19.

Please note, if your organisation has taken part in a merger with any other local authority since the relevant timeframe, please include the relevant data for that 'legacy council'.

Please include the following information:

- The total number of settlement agreements for each financial year.
- The total costs associated for each settlement agreement in each financial year. This includes, but is not limited to, a payment of salary, payment in lieu of a notice period and payment of compensation for loss of office.

In response to your above questions, we can confirm that the department holds information that you have asked for in relation to the above. However, the information is exempt under section 21 of the FOI Act because it is reasonably accessible to you, and I am pleased to inform you that you can access it on our website via the following link:

2017-18 figures - this information is available in our 2018 annual report and accounts, on our website <http://www.wmpfonline.com/annualreports>

Section 21(1) of the Freedom of Information Act exempts disclosure of information that is reasonably accessible by other means, and the terms of the exemption mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

You can find out more about Section 21 by reading the extract from the Act, available at: <http://www.legislation.gov.uk/ukpga/2000/36/section/21>

2018-19 figures - We can confirm that City of Wolverhampton Council hold the information requested however a Section 22(1)(a)(b)(c) – Information Intended for Future Publication exemption has been applied to the data thereby exempting its release.

Section 22((a)(b)(c) – Information intended for Future Publication

“(1) information is exempt information if-

(a) The information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not)

(b) The information was already held with a view to such publication at the time the request for information was made, and

(c) It is reasonable in all circumstances that the information should be withheld from disclosure until the date referred to in paragraph”

Section 22 is a qualified class-based exemption and consideration must be given as to whether there is a public interest in providing the information prior to the anticipated publication.

Public Interest Test

City of Wolverhampton Council is committed to recognise there is a strong public interest to demonstrate openness, transparency and accountability with regards to the Freedom of Information legislation particularly in relation to an individual's right to know. We recognise that disclosure would provide reassurance that the City of Wolverhampton Council is processing the requests that it receives in a timely manner particularly as it would indicate how we are meeting our obligations as outline in the provisions of the Act.

Considerations favouring Non-Disclosure

City of Wolverhampton Council is committed to publishing information however we do not consider that it is in the public interest to place information into the public domain, prematurely, before pre-publication procedures have taken place.

We have therefore reached the view that, on balance, the public interest is better served by withholding this information under Section 22 of the Act as this time.